

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

SUSAN M. BORN,

Plaintiff,

v.

MILWAUKEE COUNTY,

Defendant.

Case No. 17-CV-1783-JPS

ORDER

Defendant filed a partial motion to dismiss on August 22, 2018. (Docket #30). Plaintiff's response to the motion was due on or before September 12, 2018. Civ. L. R. 7(b). As of today's date, Plaintiff has not filed a response or otherwise communicated with the Court regarding Defendant's motion. In light of Plaintiff's non-opposition, the Court will grant Defendant's motion. *Id.* 7(d). In accordance with the relief sought in Defendant's brief, (Docket #31 at 2-4), the Court will strike the following from Plaintiff's second amended complaint:

- 1) The entirety of Plaintiff's claim under the Rehabilitation Act, 29 U.S.C. § 794;
- 2) All allegations related to Plaintiff's claim under the Americans with Disabilities Act, 42 U.S.C. § 12112(a), which precede May 14, 2015; and
- 3) All allegations related to Plaintiff's claim under the Fair Labor Standards Act, 29 U.S.C. § 207(a), which precede December 21, 2014.

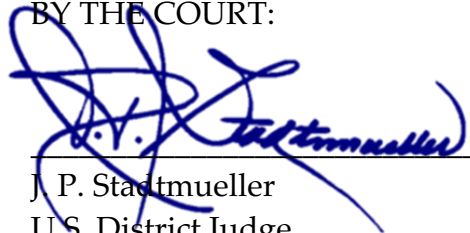
Accordingly,

IT IS ORDERED that Defendant's motion to dismiss (Docket #30) be and the same is hereby **GRANTED**; and

IT IS FURTHER ORDERED that the allegations identified above are **STRICKEN** from Plaintiff's second amended complaint (Docket #24).

Dated at Milwaukee, Wisconsin, this 19th day of September, 2018.

BY THE COURT:



J. P. Stadtmueller
U.S. District Judge